

Message Text

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ACTION EA-09

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FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 3975

INFO AMEMBASSY KUALA LUMPUR

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E.O. 11652: N/A

TAGS: ELAB, TH

SUBJ: RTG LABOR POLICY TOWARD PUBLIC SECTOR UNIONS

1. ACTING IN HIS CAPACITY AS CHAIRMAN OF THE METROPOLITAN ELECTRICITY AUTHORITY (MEA) EXECUTIVE COMMITTEE, CHALO WANNAPHUTI, WHO IS ALSO UNDER SECRETARY OF INTERIOR, DENIED ADMINISTRATIVE LEAVE TO PROMINENT THAI LABOR LEADER PHAISAN THAWATCHAINAN, PRESIDENT OF MEA WORKERS UNION, TO ATTEND JULY 6 ICFTU MEETING IN KUALA LUMPUR. ACCORDING TO PHAISAN THIS IS DEPARTURE FROM PAST PRACTICE WHEN MEA HAS ROUTINELY APPROVED HIS FREQUENT REQUESTS TO ATTEND INTERNATIONAL LABOR FUNCTIONS.

2. IN EXPLAINING DENIAL, MEA OFFICIALS SHOWED PHAISAN ADVISORY OPINION FROM SUWIT YINGWORAPHAN, DIRECTOR GENERAL OF THE DEPARTMENT OF LABOR (DOL) WHICH WAS BASIS FOR CHALO'S TWO-SENTENCE REJECTION OF PHAISAN'S REQUEST FOR LEAVE. ACCORDING TO PHAISAN, SUWIT'S OPINION 1) REFERRED TO RTG CABINET RESOLUTION OF APRIL 21, 1977, WHICH DECLARED STATE ENTERPRISES TO BE OUTSIDE COVERAGE OF LABOR RELATIONS ACT OF 1975, 2) NOTED THAT AS RESULT (1) ABOVE, DOL'S REGISTRATION OF STATE ENTERPRISE LABOR UNIONS UNDER PROVISIONS OF LABOR RELATIONS ACT WAS THEREFORE IMPROPER AND 3) SUGGESTED THAT STATE ENTERPRISE LABOR UNIONS WERE WITHOUT LEGAL FOUNDATION. CHALO JUSTIFIED DENIAL OF LIMITED OFFICIAL USE

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PHAISAN'S REQUEST ON BASIS OF APRIL 21 CABINET RESOLUTION AND OFFERED GRATUITOUS ADVICE THAT PHAISAN SHOULD SPEND TIME AT HOME WORKING FOR THE GOOD OF THAILAND.

3. ALTHOUGH PHAISAN HAS BEEN GROUNDED, SUNTHON KAEONET, PRESIDENT OF THE EXPRESS TRANSPORT ORGANIZATION (ETO) LABOR UNION, RECEIVED PERMISSION FROM GEN. SOEM NA NAKHON, CHAIRMAN OF ETO

EXECUTIVE COMMITTEE (AND ARMY COMMANDER-IN-CHIEF), TO ATTEND ICFTU MEETING, AND DEPARTED JULY 5 FOR KL. APPARENTLY, GEN. SOEM AND MINISTRY OF COMMUNICATIONS, UNDER WHICH ETO FALLS, DO NOT SHARE, OR ARE UNAWARE OF, DEPARTMENT OF LABOR POSITION ON AMBIGUOUS STATUS OF PUBLIC SECTOR UNIONS.

4. COMMENT: SINCE OCTOBER 1976, RTG HAS KEPT ALL LABOR UNIONS ON SHORT LEASH THROUGH SYSTEM OF DIFFICULT-TO-OBTAIN POLICE PERMITS FOR UNION ACTIVITIES ATTENDED BY FIVE OR MORE PERSONS. RTG HAS ALSO PROPOSED: (1) REVISING LABOR LAWS TO EXCLUDE PUBLIC SECTOR EMPLOYEES FROM LABOR RELATIONS ACT OF 1975 (WHICH IN SUWIT'S VIEW WOULD ABOLISH RIGHT OF PUBLIC EMPLOYEES TO JOIN UNIONS); AND, (2) DRAFTING SEPARATE MORE RESTRICTIVE LABOR RELATIONS LAW FOR PUBLIC EMPLOYMENT. INASMUCH AS 58 PERCENT OF ALL UNION MEMBERSHIP IN THAILAND IS IN PUBLIC SECTOR, UNDERCUTTING LEGAL BASIS OF STATE ENTERPRISE UNIONS AS IMPLIED IN SUWIT'S INTERPRETATION COULD DECIMATE MINISCULE THAI LABOR MOVEMENT AND MIGHT LEAD TO UNREST IN KEY PUBLIC UTILITIES. WHITEHOUSE

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